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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Cooperation with representatives of United Nations human rights bodies

Report of the Secretary-General in accordance with Commission on Human Rights resolution 1992/59

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Introduction

1. At its forty-eighth session, the Commission on Human Rights adopted resolution 1992/59 in which it reiterated its concern at the continued reports of intimidation and reprisals against private individuals and groups who sought to cooperate with the United Nations and representatives of its human rights bodies and at reports about incidents where private individuals had been hampered in their efforts to avail themselves of procedures established under United Nations auspices for the protection of human rights and fundamental freedoms. In this connection, the Commission urged Governments to refrain from all acts of intimidation or reprisals against: (a) those who seek to cooperate with representatives of United Nations human rights bodies, or who have provided testimony or information to them; (b) those who avail or have availed themselves of procedures established under United Nations auspices for the protection of human rights and fundamental freedoms and all those who have provided legal assistance to them for this purpose; (c) those who submit or have submitted communications under procedures established by human rights instruments; and (d) those who are relatives of victims of human rights violations.

2. The Commission requested all representatives of United Nations human rights bodies, as well as treaty bodies monitoring the observance of human rights, to continue to take urgent steps, in conformity with their mandates, to help prevent the occurrence of such intimidation or reprisals and to continue to include in their respective reports to the Commission on Human Rights, the Sub-Commission on Prevention of Discrimination and Protection of Minorities or the General Assembly a reference to allegations of intimidation or reprisals and of hampering access to United Nations human rights procedures, as well as an account of action taken by them in this regard.

3. The Commission also requested the Secretary-General to draw the attention of such representatives to the present resolution and invited him to submit to the Commission at its forty-ninth session a report containing any available information, from all appropriate sources, on alleged reprisals against those referred to in the resolution.

4. Non-governmental organizations continue to cooperate actively with the United Nations bodies dealing with human rights, providing them with information on the situation of human rights at the national, regional and international levels. Individuals concerned with human rights, victims of violations of human rights and their relatives also provide information when they submit complaints on situations or incidents affecting their human rights or those of other persons related to them or when they submit reports on the situation of human rights in their communities, countries or region.

5. Such non-governmental organizations and individuals constitute important sources of information for United Nations human rights organs. As it was mentioned in previous reports submitted under this item, United Nations organs dealing with human rights have long been concerned with reports that victims of human rights violations, their relatives and friends, witnesses to such violations or human rights activists or organizations in general have been prevented from reporting violations to the competent bodies, whether domestic

or international, or have suffered reprisals in connection with their reporting or with their attempts to avail themselves of national and international mechanisms.

6. United Nations organs have constantly reaffirmed the right of individuals and organizations to report on human rights violations they have witnessed or that affect them or affect groups of persons whom they represent and have taken action in order to protect them from intimidation or reprisals. Other organizations of the United Nations system, such as the International Labour Organisation (ILO), have also taken steps to protect their sources of information (see E/CN.4/1991/24, paras. 4-23 and E/CN.4/1992/29, paras. 12-19).

I. INFORMATION RECEIVED PURSUANT TO COMMISSION ON HUMAN RIGHTS RESOLUTION 1992/59

7. Information received pursuant to resolution 1992/59 covers a variety of situations in which persons have been intimidated or prevented from availing themselves of domestic or international procedures or have suffered reprisals for having done so.

8. In cases in which the victims were individuals or organizations having direct contact with the different bodies of the Commission on Human Rights, action was taken, whenever requested, for their protection by the relevant body or the representative in charge of the relevant mandate of the Commission. Requests for urgent protection by individuals or groups falling under the terms of resolution 1992/59 were immediately processed under a "prompt intervention procedure", by addressing an urgent communication to the Government concerned. This procedure is described in a previous report to the Commission under this item (see E/CN.4/1992/25, paras. 14-18). The action taken during 1992 is described in the following section or in the annex to this report, where a summary of the cases and the replies received from the Governments to which they were transmitted are reflected.

9. Cases in which action was taken include relatives of victims of human rights violations and their legal counsel, leaders and members of human rights and legal defence organizations as well as associations of relatives of victims, officials involved in the investigation of cases reported to the United Nations human rights bodies, witnesses or experts assisting judges in the investigation of such cases, leaders and members of indigenous communities and religious organizations and associations which regularly submit information to the United Nations on human rights matters pertaining to their communities.

10. Other relevant information transmitted under resolutions 1992/59 consisted of reports of a more general nature in which a review of persecution and intimidation against particular groups of individuals or members of the reporting organization is made and which also include an analysis of the causes and consequences of such intimidation or reprisals in the context of a certain field of activities or a country situation. Generally, these reports did not contain a specific request for the protection of specific individuals but rather mentioned violations of human rights committed against such groups

or organizations and drew the attention of the international community on the need to take action for the general protection of the potential victims of such intimidation or reprisals.

11. Such reports indicate that intimidation and reprisals are currently arising in many places from the seething conflict related to ethnic confrontation and secession. They also stress that the figures provided in reports on human rights situations cannot possibly measure the impact of fear and self-restraint deriving from those attacks and intimidation. It is further stated that it is sometimes easier to document abuses in countries undergoing political liberalization than in "closed" countries, where information is rarely released or difficult to obtain.

12. A report on violence against judges and lawyers in Colombia during the period 1979-1991 was received from the Andean Commission of Jurists, Colombian Section. Among the factors cited in the report as the cause of violence against lawyers is that the victims were human rights defenders. Cases mentioned in the report refer to attorneys defending union leaders or members of opposition parties or lawyers conducting civil suits or criminal investigations in cases in which members of official forces were allegedly involved.

13. Helsinki Watch provided a report on attacks on human rights associations which occurred in Turkey in 1991 and 1992. Many of these associations regularly provide information to United Nations human rights bodies. Cases mentioned in the report include the killing of an activist of the Turkish Human Rights Association (HRA) in 1992, who had been injured in 1991 by a bomb placed in his car; three other attacks in which bombs were placed in the car of a lawyer and HRA members and in the offices of the organization; the murder in 1991 of one of the founders of the Diyarbakir branch of HRA by persons who identified themselves as police officers; death threats against four members of the same organization which were widely circulated in a leaflet; the arrest and torture by the police of the president of the Sirnak branch of HRA (who had recently provided information to human rights violations in Sirnak); raids, searches and the closing of the HRA offices, as well as arrests of members of the organization because of speeches they had made in meetings arranged by the HRA.

14. Task Force Detainees of the Philippines submitted a report on persecution of groups and institutions based in the province of La Union; among such groups is the local branch of the reporting organization, which had long been a source of information for United Nations human rights bodies. The reports refer in particular to surveillance, questioning and allegedly false accusations against leaders or members of those organizations. According to the reports, this greatly affected the organizations and individuals concerned; however, not one among them filed any complaint before the courts for fear of reprisals.

15. The Nigerian Committee for the Defence of Human Rights, an organization which has submitted information on disappearances in Nigeria, reported that, as a consequence of a peaceful two-day protest in the context of a campaign for democracy, the military Government announced and implemented in May 1992 a crackdown on human rights activists. Four of the most well-known leaders and activists of human rights organizations were arrested and taken to unknown destinations and three of them went into hiding because they were sought by the police and their houses were searched and ransacked. In this connection the Committee also reported the disappearance of three persons whose cases were transmitted by the Working Group to the Government of Nigeria.

II. ACTION TAKEN BY REPRESENTATIVES OF UNITED NATIONS HUMAN RIGHTS BODIES

A. Human Rights Committee

16. At its forty-fifth session, the Human Rights Committee considered the second periodic report of Zaire. During the discussion, the members of the Committee requested the representative of Zaire to comment on allegations that the authors of communications to the Committee under the Optional Protocol had been subjected to legal action in Zaire and that Zairian citizens had been subjected to torture and ill-treatment merely for being found in possession of documents such as the International Covenant on Civil and Political Rights.

17. Members of the Committee expressed concern at the continuing absence of a reply by the Zairian authorities in connection with communications submitted by Zairian citizens under the Optional Protocol. It was vital that Zaire should cooperate with the Committee by supplying the information requested and by respecting the Committee's findings. They also stressed that in no case should the exercise by a Zairian citizen of his right to address a communication to the Committee expose him to reprisals (A/45/40, paras. 540 and 581).

B. Working Group on Enforced or Involuntary Disappearances

18. The Working Group on Enforced or Involuntary Disappearances expressed deep regret that the practice of intimidation and reprisals continued to affect the basic rights of relatives of missing persons and of human rights organizations. In particular, the Working Group was concerned that some Governments actually prevented witnesses from having access to representatives of United Nations human rights bodies in the course of country visits.

19. While again inviting non-governmental organizations to devote more attention to the "prompt intervention" procedure, the Working Group urged Governments concerned to adopt special measures to protect individuals and groups involved in the investigations of cases of disappearances and to inquire in a timely and thorough manner, into any act which could affect or have affected them (see E/CN.4/1993/25).

20. During 1992, in accordance with Commission resolutions 1992/59 and 1992/30, the Working Group sent "prompt intervention" communications to the Governments of Brazil, Colombia, Ecuador, Guatemala, Honduras and Peru. This action was taken for the protection of relatives of missing persons and of members of their organizations and lawyers defending them, as well as of

witnesses to disappearances or persons threatened or attacked for either submitting reports on disappearances or for carrying out investigations on cases of disappearance and/or for their public denunciation of such cases.

C. Special Rapporteur on extrajudicial, summary or arbitrary executions

21. In his report to the Commission, the Special Rapporteur thanked all non-governmental organizations that had sent him allegations relevant to his mandate, thus providing the basis for his work. The Special Rapporteur stated that the number of such organizations was increasing, which he viewed as a positive development, and felt that it was incumbent upon him to encourage new human rights organizations to make use of international procedures for the protection of human rights, in particular the right to life.

22. In over 40 cases, the Special Rapporteur recalled to the Governments concerned the obligation, as provided for in Commission on Human Rights resolution 1992/59, to ensure effective protection of the right to life of those who avail themselves of United Nations human rights procedures by providing evidence, testimony or legal assistance, and of relatives of victims of human rights violations.

23. In transmitting those cases to the Governments concerned, the Special Rapporteur urged them to ensure effective protection of the right to life and physical integrity of persons who had been the victims of attacks involving a risk to their lives or death threats and requested to be informed of the steps taken in that regard, as well as of the progress and result of investigations carried out by the competent authorities. The Special Rapporteur drew the attention of the Governments to the relevant international principles and norms, and in particular to resolution 1992/59. "Prompt intervention" communications were sent to the Governments of Brazil, Chile, Colombia, Cuba, El Salvador, Guatemala, Honduras, Israel, Mexico, Peru, Rwanda and Sri Lanka.

24. In addition to the "prompt intervention" communication as reflected in the Annex to the present report, the Special Rapporteur also drew to the attention of the Governments concerned the case of the witness to the killing of a journalist, who was reported killed, together with her husband, by a death squad in Peru, and the cases of the lawyers and an anthropologist involved in an independent investigation of a mass killing at El Nilo, who were killed in their homes in Cali, Valle, Colombia, by armed men allegedly linked to governmental security forces (E/CN.4/1993/46, paras. 206 and 477).

D. Special Rapporteur on the situation of human rights in Myanmar

25. During his visit to Myanmar in December 1992, the Special Rapporteur formally requested to meet a number of persons with whom he wished to discuss matters relevant to his mandate; the Special Rapporteur was prohibited from seeing these persons. Other persons who indicated their wish to make contact with the Special Rapporteur were reportedly visited by members of the intelligence service and told not to establish or receive contact with the Special Rapporteur and the accompanying United Nations staff member. With regard to this situation, the Special Rapporteur transmitted to the Government a letter in which he referred to resolution 1992/59 and stated that persons

who wished to cooperate with the United Nations human rights bodies should not be subject to any threat or intimidation, and that the Government should take all steps necessary to protect the lives and physical integrity of those persons. The Government replied that its cooperation with the United Nations could not be a channel to override the fundamental principles of national sovereignty and non-interference in the internal affairs of States, as enshrined in the Charter of the United Nations. The Government denied the allegations contained in the letter of the Special Rapporteur. According to the Government, being "told not to see the Special Rapporteur" could not conceivably be construed as "threats or intimidation".

Annex

ALLEGATIONS OF INTIMIDATION AND REPRISAL RECEIVED AND PROCESSED BY REPRESENTATIVES OF UNITED NATIONS HUMAN RIGHTS BODIES

A. Working Group on Enforced or Involuntary Disappearances
(see doc. E/CN.4/1993/25)

Brazil

1. Marilene Lima de Souza, Vera Lúcia Flores, Ednéia da Silva Eusebio, Denise Vasconcelos, Euzilar Joana da Silva Oliveira, Ednéia Santos Cruz and Teresa Souza Costa, the mothers of some of the 11 children who had "disappeared" on 26 July 1992 from a farm in Magé, State of Rio de Janeiro, having been abducted by a group of armed men believed to be linked to official forces, received death threats after denouncing the kidnappings and actively campaigning for an investigation (para. 93).

2. The Government provided details on measures taken for the protection of the mothers, since their physical integrity could be at risk because they had denounced the kidnappings and campaigned for an investigation. Although it had been concluded that their lives were not under imminent and serious threat, the police had been instructed to provide any further protection as might be required.

Colombia

3. Maria Nodelia Parra, member of the Organization of Relatives of Missing Persons (ASFADDES), was reportedly threatened in June 1992 by the military judge who had summoned her as a witness to the killing of four persons, allegedly by members of the army battalion Luciano d'Ihnyar (para. 163).

4. The Government reported, inter alia, that with regard to the question of threats and harassment against relatives of victims, witnesses of violations of human rights, lawyers and members of human rights organizations, whenever the Office of the Presidential Adviser for the Defence, Protection and Promotion of Human Rights learned of any complaints of threats or retaliation made either by national or international agencies or by the person concerned, it invariably contacted state investigative and security organs and studied various protection measures and mechanisms in order to provide the most suitable system of protection, in the light of what the petitioner considered to be appropriate.

Ecuador

5. In January 1992, César Anibal Banda Batalles, head of the Legal-Social Defence Project of Defence for Children International (DCI) and Ramiro Honorato Roman Marques, lawyer of the Ecumenical Human Rights Commission, reportedly received anonymous death threats by telephone warning them to cease their involvement with the case of the disappearance of Carlos Santiago and Pedro Andrés Restrepo Arismendi (aged 17 and 15 respectively). Two other lawyers who had previously represented the Restrepo Arismendi family before the courts had reportedly withdrawn from their involvement in the case for fear of reprisals because they had reportedly been under constant surveillance

by persons who, by their aspect and by the type of vehicle used, appeared to be police officers in plain clothes. It was further alleged that they had been threatened by uniformed and plain-clothes police officers (para. 199).

6. The Government replied that neither the National Police nor any other governmental force had threatened the two lawyers and that, on the contrary, specific measures had been taken to protect the lives of those two persons. The Government further informed the Working Group that legal proceedings had been initiated against the members of the National Police believed to be involved in cases of disappearance.

Guatemala

7. Members of the family of Diego Domingo Martín were reportedly threatened by staff from the Office of the Assistant Attorney General for Human Rights of Huehuetenango when they reported the disappearance of their relative who had been missing since 8 November 1991. A member of the staff allegedly told them that if they filed a complaint, they could encounter the same fate as that of the missing person who, according to this official, was a guerrillero. The relatives of the missing person also alleged to have received threats from a civil defence patrol (PAC) (para. 232).

8. On 31 January 1992, Rosa Pu Gómez, a member of the National Coordinating Committee of Widows of Guatemala (CONAVIGUA) and a member of the Mutual Support Group for the Appearance of Our Relatives Alive (GAM), an organization of relatives of persons disappeared in Guatemala, was reportedly held at gunpoint by a man who warned her that she should stop working with the above-mentioned organizations. According to the report, a uniformed policeman passed by and spoke in a friendly manner to the man, whom he seemed to know (para. 232).

9. Juana Contreras, leader of GAM, was reportedly injured when a bomb exploded at the office of the organization on 12 October 1992. In the week prior to this incident, members of GAM reported that their offices were under surveillance and that they had received threats from anonymous telephone callers. Shortly after the explosion, four armed men, who did not identify themselves, had reportedly interrogated GAM members about their leaders and the activities of the organization (para. 232).

10. Amilcar Méndez Urizar, professor and President of the Council of Ethnic Communities (CERJ), an organization which has regularly reported cases of disappearance to the Working Group, had received 10 death threats since 1988. A grenade was reportedly thrown into his house on 10 May 1992. He was not there at the time and his family was not hurt, but the explosion caused significant material damage. Mr. Urizar had reportedly received several death threats over the telephone shortly before this attack, and two hours after the incident he received a phone "warning" (para. 232).

Honduras

11. Antonio Zelaya Reyes, President of the Olancho regional department of the Committee for the Defense of Human Rights in Honduras (CODEH), an organization which regularly cooperates with the Working Group, was reportedly the victim,

on 25 March 1992, of an attempt against his life by an armed man allegedly identified as an agent of the National Directorate of Investigations (DNI). Antonio Zelaya Reyes had reportedly been warned indirectly 48 hours before the attack that his life was in danger. Two CODEH workers in San Pedro Sula had also reportedly received the same threats (para. 261).

Peru

12. The following four persons reportedly suffered attacks and death threats, allegedly for their involvement in the judicial investigation of the disappearance and subsequent killing of 14 peasants in Santa Bárbara on 4 July 1991, a case in which the Working Group took action at the request of several local non-governmental organizations:

(a) Cynthia Themys Quesada Roque, aged 20 months and the daughter of Luz Gladys Roque Montesillo, a provincial prosecutor of the department of Huancavelica, was reportedly injured on 10 July 1991 by a gunshot allegedly fired by a member of the police at the car in which she was travelling with her mother;

(b) Inés Sinchitullo Barboza, legal assistant at the Office of the Huancavelica Public Ministry, reportedly had her home attacked with explosives on 28 July 1992. It was alleged that security forces might have been responsible for the incident;

(c) Eduardo Rojos Laysequia, also a provincial prosecutor in Huancavelica, received death threats from persons allegedly linked to the security forces;

(d) Manuel Antonio Cordova Polo, a provincial prosecutor in Huancavelica, was allegedly threatened with death on 19 February 1992 by three armed military personnel from the military base in Lircay, Angaraes, Huancavelica department. Mr. Cordova Polo had brought charges of homicide against the political-military commander in Huancavelica and other officers for the Santa Bárbara killings (para. 390).

13. In September 1992, Angélica Mendoza Almeida de Ascarza, mother of a missing person and President of the National Association of Relatives of Abducted and Disappeared Detainees in the Zones Under State of Emergency (ANFASEP), and of the Service for Peace and Justice (SERPAJ), organizations which regularly transmit information to the Working Group and also a witness before the Working Group during its visits to Peru in 1985 and in 1986, was reportedly prosecuted on charges of "international subversive propaganda" for having travelled to European countries at the invitation of human rights organizations, in the context of her campaign for an investigation on disappearances in Peru, which she has carried out for the last 10 years (para. 390).

14. The Government replied that Angelica Mendoza Almeida de Ascarza had been charged with disturbing public order (terrorism) and a detention warrant had been issued against her. On the other hand, at the request of the Inter-American Commission on Human Rights, the Ministry of Interior had taken protective measures in favour of Mrs. Mendoza.

B. Special Rapporteur on the question of torture (see doc. E/CN.4/1993/26)

Colombia

15. Margarita Agudelo Alzate, César Chaparro Nivia, wife of trade unionist and active member of the Patriotic Union (UP) and her brother, Hernando Agudelo Alzate, were reportedly subjected to death threats on 18 March 1992. It was said that these threats were related to their reporting the death on 4 March 1992 of César Chaparro Nivia, allegedly as a consequence of torture inflicted upon him during interrogations at a Department of State Security (DAS) base in Bogotá.

Guatemala

16. David Estuardo Mejía Paz, aged 17, was reportedly abducted on 12 March 1992 by armed men who threatened and interrogated him about the whereabouts of his brother, Axel Mejía Paz, a street educator with Covenant House, an organization which has regularly reported to the United Nations cases of human rights violations committed against street children. Axel Mejía Paz had been the principal witness in the legal proceedings against 26 members of various branches of the security forces accused of beating street children in front of a refuge run by Covenant House on 7 November 1991. Since that time, he and his family had reportedly been constantly threatened and harassed by men allegedly linked to the security forces.

C. Special Rapporteur on extrajudicial, summary or arbitrary executions (see doc. E/CN.4/1993/46)

Brazil

17. Marilene Lima de Souza, Vera Lúcia Flores, Ednéia da Silva Eusebio, Denise Vasconcelos, Euzilar Joana da Silva Oliveira, Ednéia Santos Cruz and Teresa Souza Costa, the mothers of some of 11 children who had disappeared on 26 July 1992 from a farm in Magé, State of Rio de Janeiro, having been abducted by a group of armed men, received death threats after denouncing the kidnapping and actively campaigning for an investigation (para. 126).

18. The Government replied that measures had been adopted to protect the lives of the seven mothers. Police investigations had led to charges against five civil and military policemen, three of whom were under arrest by 1 May 1992. The case was then transmitted to the judicial branch. The State Secretary of Rio de Janeiro's Civil Police had taken the necessary steps to ensure police protection for Ednéia Santos Cruz and Sonia Cristina Lourenço (whose name had not been reported to the Special Rapporteur), who had identified the military policemen charged with the abduction of the children. Police protection had also been extended to the other six women, although they were not expected to be witnesses in the ongoing investigation (para. 134).

19. Carlos Alberto Ivanir Dos Santos, Executive Secretary of Centro da Articulaçao de Populaçoes Marginalizadas (CEAP), an organization which has provided information to the United Nations human rights bodies, and a human rights worker at CEAP headquarters in Rio de Janeiro, received death threats

on several occasions throughout 1992. On 13 June 1992, he was reportedly threatened with death if he did not refrain from denouncing acts of violence against street children. On 24 August 1992, Mr. Dos Santos was allegedly shot at by an officer of the Military Police who accused him of being a drug trafficker. The bullet reportedly missed him (para. 126).

20. The Government replied that an investigation into the case of Carlos Alberto Javier Dos Santos was carried out by the military, while his protection was ensured by the civil police (para. 135).

21. One street educator, Jorge Antonio de Oliveira Filho of the Brazilian Institute for Social Health Innovations (IBISS), another organization involved in assistance and activities relating to street children and which has also provided information to the United Nations human rights bodies, died on 5 November 1992 in circumstances that suggest the implication of police. After his death, further death threats against members of the Institute and street children were received daily at IBISS (para. 126).

Chile

22. Members of the Committee for the Defence of the Rights of the People (CODEPU), an organization which has long been cooperating with United Nations human rights bodies, allegedly received death threats on 29 January 1992. Reportedly, on that day members of a paramilitary group called "Nationalist Combat Front" broke into the CODEPU offices in Santiago de Chile. After the assault, CODEPU reportedly received nine threatening telephone calls from the same group (para. 170).

Colombia

23. Blanca Cecilia Valero de Durán, a secretary of the Magdalena Medio branch of the Human Rights Commission (CREDHOS), an organization which has submitted reports on human rights abuses to United Nations human rights organs, was reportedly assassinated on 29 January 1992 in Barrancabermeja. The President of CREDHOS, Jorge Gómez Lizarazo, was said to have been subjected to death threats by paramilitary groups (para. 196).

24. The Government replied that, concerning the case of Blanca Cecilia Valero de Durán, all investigative mechanisms to identify the intellectual and material authors of her death had been activated. An exhumation of her body was carried out at Barrancabermeja, and the testimony of 25 people was taken. However, a strike from 29 to 31 January 1992 hindered the investigation, which was nevertheless being carried out by the Preliminary Investigation Unit of Barrancabermeja (para. 211).

25. Death threats and attacks made against members of CREDHOS, including Jorge Gómez Lizarazo, Rafaél Gómez Serrano and Joel Quiroga, were again reported in June 1992. Moreover, a former member of CREDHOS, Julio César Berrio Villegas, and Ligia Patricia Cortez were said to have been killed by unknown gunmen linked to the security forces on 28 June 1992 and 30 July 1992, respectively. Humberto Hernández, also a member of CREDHOS, had reportedly been killed in similar circumstances in March 1991 (para. 201).

26. The Government replied that Jorge Gómez Lizarazo, Rafaél Gómez Serrano and Joel Quiroga of CREDHOS had been given personal protection as of 10 February 1992 by the security services. The Government of Colombia further informed the Special Rapporteur that the protection of Jorge Gómez Lizarazo and members of his family had been reinforced in early September 1992 and was now provided by four detectives of DAS and four agents of the Fiscalía Regional del Cuerpo Técnico de Investigación. One detective was said to have been injured during an attack against Jorge Gómez Lizarazo on 11 June 1992 (para. 211).

27. César Chaparro Nivia, trade unionist and active member of UP, had reportedly been detained by members of the Department of State Security (DAS) on 29 February 1992 and had died on 4 March 1992, allegedly as a consequence of torture inflicted upon him during interrogations at a DAS base in Bogotá. His wife, Margarita Agudelo Alzate, and her brother, Hernando Agudelo Alzate, were said to have been subjected to death threats after reporting his death to the Colombia Procurator General (para. 198).

Cuba

28. Juan Betancourt Morejón, Secretary General of the Cuban Human Rights Party (PPDHC), an organization which has provided information to the Special Rapporteur on the situation of human rights in Cuba, was reportedly approached in the street in Havana on 21 February 1992 by two men who held a revolver to his head and pulled the trigger, telling him that next time the gun would be loaded and if he continued his human rights activities. It was alleged that the assailants were linked to the state security forces. Jorge Amores Díaz, Vice-President of PPDHC, was reportedly threatened with death by two high-ranking state security officials who stopped him in the street in Havana in February 1992 (para. 222).

29. The Government replied that concerning the cases of Juan Betancourt Morejón and Jorge Amores Díaz, the allegations were false. Betancourt Morejón left Cuba on 24 April 1992, Amores Díaz during the month of July 1992 (para. 226).

El Salvador

30. The following 11 members of the Protestant National Council of Churches (CNI), a religious body concerned with human rights which has submitted reports to the United Nations human rights organs, received written death threats on 7 January 1992 from a paramilitary group called "Secret Army of National Salvation", which alleged that they had given financial and logistical support to the Frente Farabundo Marti para la Liberación Nacional (FMLN) during the armed conflict: Victoriano Jimeno, Medardo Gómez, Hugo Magaña, Flora Carolina Fuentes, Carlos Nájera, Roberto Palacios, Julio César Grande, Igancio Meza, Santiago Flores, Luis Serrano and Angel Ibarra. Roberto Palacios and Ignacio Meza had allegedly been subjected to threats on previous occasions (para. 245).

31. In late March 1992 Lucía de la Paz Bonilla, mother of Nazario de Jesús Gracias, a trade unionist who was assassinated on 2 March 1992, allegedly by members of a death squad reportedly linked to the Salvadorian armed forces, received death threats. The case of Nazario de Jesús Gracias had been submitted previously to the Special Rapporteur on extrajudicial, summary or arbitrary excutions. Lucía de la Paz Bonilla was reportedly visited by two armed men believed to belong to Government forces, after having met members of ONUSAL in the context of the investigation carried out by them into the case of her son (para. 245).

32. Salvador Iván Ramírez, Conflicts Secretary of the National Trade Union Federation of Salvadorian Workers (FENASTRAS), was reportedly killed on 31 July 1992. A death squad called "White Hand" was said to be responsible for the killing of Salvador Iván Ramirez, who had reportedly received death threats on several occasions since his return from exile in 1991 (para. 145). His case was transmitted to the Government of El Salvador by the Special Rapporteur on extrajudicial, summary or arbitrary executions. Subsequently, other members of FENASTRAS, including its Secretary-General, Juan José Huezo, and Miguel Alfredo Ramírez were also alleged to have been threatened to death.

33. The Government replied that Salvador Iván Ramírez was killed on 31 July 1992 at the cafeteria "El Portal" in Redondel Masferrer by David Armando Flores Romero, who was arrested by the police on 27 August 1992 and identified by witnesses. He was said to have confessed to having committed the murder for private reasons (para. 248).

34. José Eduardo Pineta Valenzuela reportedly suffered an attempt against his life on 31 July 1992. Shortly before, José Eduardo Pineda Valenzuela had joined the office of the Ombudsman for Human Rights after having participated, in his capacity as member of the Human Rights Department of the Office of the Attorney General of El Salvador, in the trial against nine members of the military accused of the murder of six Jesuit priests and two women in 1989. Reportedly, on 17 August 1992, the wife of José Eduardo Pineda Valenzuela, who was injured and remained partially paralysed after the attempt, was threatened with death by the same armed men if she cooperated with the investigators of the case (para. 245).

35. César Vielman Joya Martínez was extradited to El Salvador by the authorities of the United States of America on 23 October 1992 and was held at Mariona prison. A request for the protection of his life was made on the basis that he had repeatedly claimed to have been a member of the so-called "death squads" of the Salvadorian Army, and the information in his possession was said to incriminate various members of the army and the security forces. He had given testimony to the Working Group on Enforced or Involuntary Disappearances (para. 245).

Guatemala

36. Relatives of Myrna Mack Chang, Director of the Institute for the Advancement of Science (AVANSCO) and well-known human rights worker who was stabbed to death in September 1990, feared for their security after having received anonymous death threats in 1991 and 1992. Other persons involved in the investigation of this assassination were killed during 1991 (para 242).

37. Florencio Coj García, Guadalupe Coj García, Manuel Chingo de la Cruz, Mariano de la Cruz and 11 others, all members of the Quiché indigenous community in Tunajá, Zacualpa, El Quiché, were reportedly threatened by military personnel in January 1992 in connection with the exhumation of clandestine cemeteries in Tunajá where victims of disappearances and summary executions are said to be buried. They had started digging at that site in search of members of the community who had disappeared in December 1991 (para. 242).

38. The Government replied that, concerning the cases of Florencio Coj García, Guadalupe Coj García, Manuel Chingo de la Cruz, Mariano de la Cruz and other members of the Quiché indigenous community of Turciá, investigations had revealed that no judicial proceedings had been opened before the competent courts, since no formal complaints had been filed concerning the alleged threats.

39. The relatives of Maritza Urrutia García, the reported victim of an abduction in Guatemala City by members of the armed forces on 23 July 1992, had allegedly received death threats by security forces personnel. Fears for their safety were expressed (para. 284 and 285).

40. On 26 January 1992, a leaflet containing death threats signed by a death squad called "Anti-Communist Unit" was reportedly handed to Armando Sánchez, Secretary General of FENASTEG. The text also threatened the following persons: Amílcar Méndez Urízar, President of CERJ, Byron Morales, Coordinator of UNISTRAGUA, Rosalinda Tuyuc, President of CONAVIGUA, Ninth Montenegro de García, President of GAM, and Juan Mendoza, a leader of the Farmers' Unity Committee. On 31 January 1992, Rosa Pu Gómez, member of CONAVIGUA, was reportedly threatened in the street by an armed man who accused her of being a member of a guerrilla group (para. 273). All the above-mentioned organizations have regularly reported on summary executions, disappearances and torture to the relevant United Nations organs.

41. María "Myriam" Buthy Dardón Tejada, the wife of Amilcar Méndez Urízar, (see above case 4) and other members of her family have reportedly been subjected to death threats and acts of harassment on various occasions since late October 1992 (para. 289).

42. The Government replied that concerning the cases of Rosa Pu Gómez, Rosalinda Tuyuc, Nineth Montenegro de García, Amílcar Méndez Urízar, Byron Morales, Armando Sánchez and Juan Mendoza, the investigations had not revealed any evidence indicating that these persons had been a target of death threats. Only Amilcar Méndez repeatedly declared that he received threats; however, when asked to file a formal complaint in court he stated that he had no time to do so. He did not cooperate with the authorities in trying to establish the origin of the threats (para. 296).

43. David Estuardo Mejía Paz was reportedly abducted on 12 March 1992 by armed men who interrogated him about the whereabouts of his brother, Axel Mejía Paz, a member of Covenant House, who had received several death threats. Axel Mejía Paz had been the principal witness in proceedings against 13 members of the police unit Civic Protection System accused of beating up three children on 7 November 1991 (para. 277).

44. Londy Urízar, a receptionist at Covenant House, reportedly received anonymous telephone death threats on 8 May 1992 at the Covenant House administrative offices. Allegedly, these threats and other previous incidents were related to the denonciation of human rights violations committed by members of the security forces against street children, Covenant House and persons supporting its activities (para. 278).

45. José Alberto Nerio Osorio, teacher and delegate of the Centro de Investigación, Estudio y Promoción de los Derechos Humanos, an organization which has provided information to United Nations human rights bodies, reportedly suffered an attempt on his life on 17 May 1992 by unidentified armed men believed to be linked to the security forces (para. 279).

46. Adelina López Castillo, the mother of one of 11 persons whose dead bodies had been found in Escuintla, Puerto Quetyal, in August 1991, reportedly received death threats by the military in connection with accusations against six soldiers presumed to be responsible for the killing of the 11 persons. Other members of the family were also said to have been threatened (para. 281).

47. Ronalth Iván Ochaeta, Director of the Human Rights Office of the Archbishopric of Guatemala, Amilcar Méndez Urízar, Director of CERJ, and Fáctor Méndez Doninelli, Director of CIEPRODH, had reportedly been accused in November 1992 by the Guatemalan authorities of having links with the guerrilla. All these organizations regularly cooperate with United Nations human rights bodies. Such accusations were said to put their lives at serious risk, because death squads had killed several human rights leaders and activists alleged to be cooperating with armed groups opposed to the Government (para. 288).

48. Manuel Chumil Méndez (17), Consuelo Ruiz and María Luisa Ruiz, all members of the Mutual Support Group for the Appearance of Our Relatives Alive (GAM), were reportedly threatened with death by a local Civil Defence Patrol (PAC) leader at Sacpulup, Chichicastenango, on 20 March 1992 (para. 282).

Honduras

49. Antonio Zeleya Reyes, President of the Olancho regional department of the Committee for the Defence of Human Rights in Honduras (CODEH), suffered an attempt against his life on 25 March 1992 after receiving telephone death threats. The assailant was said to have been identified as a member of the National Directorate of Investigations (DNI). Two other members of CODEH also received death threats. CODEH is an institution which collaborates closely with United Nations human rights procedures (para. 326).

Israel

50. The wife of Ahmed Suleiman Musa Qatamesh, a Palestinian who was arrested on 1 September 1992 and had allegedly been tortured while in custody at Ramallah prison, was reportedly ill-treated and threatened by Israeli Security Forces two days after she had held a press conference in Jerusalem regarding her husband's alleged detention and torture (para. 382).

Mexico

51. María Teresa Jardí, Director of the Department of Solidarity and Defence of Human Rights in the Archdiocese of Mexico and legal adviser to the Commission of Solidarity and Defence of Human Rights in Chihuahua, an organization that keeps regular contact with the United Nations human rights bodies, allegedly received death threats in late October. It was alleged that one of the threats referred to her investigations into the murder of Victor Manuel Oropeza Contreras (para. 419).

52. The Government of Mexico replied that the Chamber of Deputies had unanimously rejected the acts of intimidation against María Teresa Jardí and requested the competent authorities to thoroughly investigate the death threats and to guarantee the safety of Mrs. Jardí and her family. The Human Rights Commission of the Chamber of Deputies equally rejected the acts of intimidation against Mrs. Jardí. The Federal Attorney's Office provided agents for her personal security. The President of Mexico, Carlos Salinas de Gortarí, met with María Teresa Jardí in November 1992 and expressed his full support for the efforts to identify those responsible and punish them in accordance with the law. He also reiterated that Mrs. Jardí and her family would be granted all necessary guarantees for their physical integrity (para. 424).

Peru

53. Luz Gladys Roque Montesillo, Inés Sinchitullo Barboza, Eduardo Rojas Laysequia, all three officials of the Prosecutor's Office in Huancavelica, and Manuel Antonio Córdova Polo, Provincial Prosecutor of Angaraes, were reportedly threatened on different occasions between February and July 1992 by members of the security forces, allegedly for their involvement in judicial investigations of the killing of 14 peasants in Santa Bárbara in 1991. Cynthia Temys Quesada Roque (2), daughter of Luz Gladys Roque Montesillo, was said to have been hurt in an attack against her mother in July 1992 (para. 466)

54. The Government replied that concerning the cases of Luz Roque Montesillo, Inés Barboza, Eduardo Rojas Laysequia and Manuel Córdova Polo, no formal complaints had been filed concerning human rights violations. The allegations were probably aimed at drawing attention to the massacre at Santa Bárbara, on the presumption that the authors of this incident would not be brought to justice. The attacks suffered by Ines Sinchitullo Barboza and Cynthia Temys Quesada Roque were duly denounced; no participation of military personnel could be proved. In addition, the authorities of Huancavelica had questioned Luz Roque, Manuel Córdova and Eduardo Rojas and reported to the Public Ministry about their professional misconduct and support for Shining Path (para. 479).

55. José Luís Marín González, was arrested on 18 January 1992 by soldiers from the military base of Aucayacu and his body was reportedly found, without head and hands, on 27 January 1992. His parents, Lince Marín Panduro and Emilia González Guerrero, were allegedly threatened by the military not to report the assassination of their son (para. 476).

Rwanda

56. Fidèle Kanyabugoyi, Director at the Ministry of Public Works and member of a human rights group known as Kanyarwanda, which has provided information on human rights violations in Rwanda, was reportedly the victim of death threats and acts of harassment in late August 1992. On the evening of 29 August 1992, a few days after he had been summoned by the Procurator General for the Court of Cassation to give explanations about his inquiries into mass killings of members of the Bagogwe clan in early 1991, in particular his findings that a local government official was involved in the killings, Fidèle Kanyabugoyi's house was reportedly attacked by nine armed men. In the light of earlier acts of harassment because of his human rights activities, fears were expressed that Mr. Kanyabugoyi's life was in danger (para. 503).

Sri Lanka

57. W.C. Neal Rajapakse and W. Charles, the brother and father of a young woman allegedly raped and extrajudicially executed by police officers in September 1990, were reportedly subjected to continuous threats and acts of intimidation by members of the Anuradhapura police between February and April 1992, allegedly with the aim of deterring them from appearing before the court to testify against the police officers concerned (para. 535).

58. The Government replied that concerning alleged acts of intimidation and threats against W.C. Nimal Rajapakse and W. Charles, the state counsel conducting the prosecution in the case of the abduction, rape and murder of W. Chandrawathie had informed the court that a witness had complained of threats by unknown persons. The Criminal Investigation Department (CID) was investigating the complaint. The CID had also conducted investigations into the alleged threats against W.C. Nimal Rajapakse which revealed that he had been stopped for questioning after he had taken photographs of the suspects in the case of W. Chandrawathie within the court precincts and could not prove that he was a journalist. A knife with a blade of unauthorized length had been recovered from his possession, whereupon he was taken into custody. Investigations by officers of the Anti-Subversive Unit established that W.C. Nimal Rajapakse was not connected with subversive activities. He was charged with being in possession of a knife of unauthorized length and pleaded guilty. W.C. Nimal Rajapakse was not a witness in the case of W. Chandrawathie. Investigations into the alleged threats to W. Charles, the father of W. Chandrawathie, were under way to establish the veracity of the complaint and it was justified to identify the culprit (para. 540).

59. The organization Lawyers for Human Rights and Development (LHRD) was subjected to continuous threats, allegedly by members of the security forces, in June and July 1992. Gunmen allegedly came to the offices of the organization on numerous occasions and asked for the whereabouts of the

General Secretary, Kalyananda Tiranagama, and a legal officer called Mohen Seneviratne. Threats were also said to have been made to the organization's printers, who were told to stop producing the newsletters "People's Rights" and "Vinishcaya". LHRD is reportedly engaged in providing legal advice and assistance to victims of human rights violations and literacy programmes for the public, and provided information to the Working Group on Enforced or Involuntary Disappearences (para. 536).

60. The Government replied that, in response to death threats received by LHRD, a police guard was placed at the LHRD office. Investigations were initiated. Since then, no future complaints had been received from the organization. This information was corroborated by a member of LHRD who visited the Centre for Human Rights in October 1992 (para. 541).